

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

### **Information Disclosure Statement**

Applicants acknowledge that the Office attached signed copies of the forms PTO/SB/08 from Information Disclosure Statements that were filed on October 17, 2005 and October 19, 2005. The U.S. Patent Application documents noted in the SB/08 forms were crossed out. However, the Office stated on page 4 of the Office Action that U.S. application serial number 10/445,846 has been published as U.S. Pub. No. 2003/0224892 and that U.S. application serial number 10/445,907 has been issued as U.S. Patent No. 6,887,175. The Office further listed U.S. Pub. No. 2003/0224892 and U.S. Patent No. 6,887,175 on form PTO-892, which was attached to the Office Action. Therefore, Applicants would simply point out for the record, and also gratefully acknowledge, that the Office has considered equivalent documents to the U.S. application serial numbers submitted in the Information Disclosure Statements filed on October 17, 2005 and October 19, 2005. The thoroughness of the Examiner's action is appreciated by Applicants.

### **Allowable Subject Matter**

Applicants gratefully acknowledge the identification of claims 2-5 and 10-18 as containing allowable subject matter. In light of Applicants' belief that the remaining claims in this application are allowable, as explained below, the aforementioned claims have not at this time been rewritten in independent form.

### **Rejection under 35 U.S.C. § 103**

Claims 1, 6-9, 19, and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,887,175 (hereafter "Yamauchi et al.") in view of U.S. Patent No. 6,840,341 (hereafter "Fujikawa"). It is respectfully requested that this rejection be reconsidered and withdrawn for the following reasons.

Applicants respectfully disagree with certain statements in the Office Action and submit that Fujikawa does not disclose or suggest a “vibration suppression control section . . . that suppresses two-degrees-of-freedom vibration of a planetary gear mechanism,” as recited in claim 1. Fujikawa discloses a system that cancels vibration caused in a drive shaft that is developed by a power source, such as an engine, using vibration caused by another power source, such as a motor/generator. In this way, the system of Fujikawa is capable of suppressing only one-degree-of-freedom vibration of the output shaft. Therefore, Fujikawa does not disclose or suggest two-degree-of-freedom vibration suppression, such as the vibration constituted by the torque vibration of an output shaft and a by the revolution vibration of a planetary gear mechanism. Fujikawa provides essentially the same one-degree-of-freedom vibration suppression as the published Japanese application cited in the introductory portion of the present application.

Perhaps there is some confusion on the present record over the meaning of the claimed “two-degrees-of-freedom vibration suppression” that is claimed here. To clarify this issue, Applicants point out that Fujikawa discloses a *two-order vibration* instead of a two-degree-of-freedom vibration. As shown in Figure 12 of Fujikawa, the vibration is second order but not two-degree-of-freedom, such as that constituted by the torque vibration of an output shaft *and* a by the revolution vibration of a planetary gear mechanism. These are not the same thing, and the teachings of Fujikawa do not accomplish a two-degrees-of-freedom vibration suppression.

Further, the PTO’s reliance on cases, such as *Ex parte Obiaya*, cited on page 6 of the Office Action, is misplaced under the factual circumstances of the present application. The present case is not of the type in which Reference A and Reference B are combined, based on the motivation of achieving a certain Advantage X, whereas the applicant is relying for patentability on the achievement of an additional and different Advantage Y, which flows inherently from the suggested combination of References A and B. As explained above, the application of the teachings of Fujikawa to the primary reference of Yamauchi et al. would produce only a one-degree-of-freedom suppression, and consequently a combination of the two references under no circumstances would inherently produce the claimed result of a two-

degrees-of-freedom vibration suppression. Thus, this line of cases is simply not germane to the present factual context.

For these reasons, Applicants respectfully submit that a combination of Yamauchi et al. and Fujikawa does not meet the claimed subject matter of independent claims 1, 19 and 20, and therefore that the rejection of claims 1, 6-9 and 19-20 should be withdrawn..

Attached to this response is a verified English translation of the priority application in the present case, i.e., Japanese Patent Application No. 2002-245722, which was filed in the Japanese Patent Office on August 26, 2002. Applicants submit this translation to antedate and remove as prior art Yamauchi et al., which was filed in the U.S. on May 28, 2003. See 37 C.F.R. § 1.55. As can be seen by comparing the priority document with the present application text, the two documents essentially correspond, e.g., the figures of drawing are essentially identical. Therefore, the claims of the present application are fully supported by the disclosure in the priority application. On this additional basis, the obviousness rejection should be withdrawn, since it cannot be maintained once Yamauchi et al. has been removed as prior art.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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